

**ASSEMBLY BILL**

**No. 1374**

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**Introduced by Assembly Member Brownley**

February 27, 2009

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An act to amend Section 60422 of the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 1374, as introduced, Brownley. Instructional materials.

Existing law requires a local governing board to use specified funds to ensure that each pupil is provided with a standards-aligned textbook or basic instructional materials by the beginning of the first school term that commences no later than 24 months after those materials were adopted by the State Board of Education.

This bill would allow a local governing board to also use this funding to purchase technology-based instructional materials. This bill would also make several technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 60422 of the Education Code is amended
- 2 to read:
- 3 60422. (a) A local governing board shall use funding received
- 4 pursuant to this chapter to ensure that each pupil is provided with
- 5 a standards-aligned textbook or basic instructional materials, as
- 6 adopted by the ~~State Board of Education~~ *state board* subsequent
- 7 to the adoption of content standards pursuant to Section 60605 for

1 kindergarten and grades 1 to 8, inclusive, or as adopted by the  
2 local governing board pursuant to Sections 60400 and 60411, for  
3 grades 9 to 12, inclusive. Pupils shall be provided with  
4 standards-aligned textbooks or basic instructional materials by the  
5 beginning of the first school term that commences no later than  
6 24 months after those materials were adopted by the ~~State Board~~  
7 ~~of Education~~ *state board*.

8 *(b) Notwithstanding any other law, a local governing board*  
9 *may use funding received pursuant to this chapter to purchase*  
10 *technology-based instructional materials.*

11 ~~(b)~~  
12 *(c) Once a governing board certifies compliance with*  
13 *subdivision (a) with regard to standards-aligned instructional*  
14 *materials in the core curriculum areas of reading/language arts,*  
15 *mathematics, science, and history/social sciences, and if the*  
16 *governing board of a school district has met the eligibility*  
17 *requirements of Section 60119, the remaining funds may only be*  
18 *used consistent with subdivision (a) of Section 60242 and pursuant*  
19 *to Section 60242.5.*

20 ~~(e)~~  
21 ~~(d) The State Board of Education~~ *state board* may grant the  
22 school district additional time to meet the purchasing requirements  
23 of subdivision (a) if the governing board of the school district  
24 demonstrates, to the satisfaction of the state board, that all of the  
25 following criteria apply to the district:

26 (1) The school district has implemented a well-designed,  
27 standards-aligned basic instructional materials program.

28 (2) The school district, at the time of its request for additional  
29 time pursuant to this subdivision, has sufficient textbooks or basic  
30 instructional materials for use by each pupil.

31 (3) The school district has adopted a plan for the purchase of  
32 standards-aligned instructional materials in accordance with  
33 subdivision (a) ~~but that plan~~ indicated an alternative date for  
34 compliance that is declared in the request for additional time.

35 ~~(d)~~  
36 *(e) The funds provided for the purchase of instructional materials*  
37 *in Schedules 1 and 2 of Item 6110-189-0001 and paragraph 6 of*  
38 *Item 6110-485 of Section 2.00 of the Budget Act of 2002 (Chapter*

- 1 379 of the Statutes of 2002) shall be used for the purposes of, and
- 2 allocated consistent with, this chapter.

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